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By: \_\_\_\_\_

Rena Iov

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: SHU, YANG ET AL.

APPLICATION NO.: 10/604,380

FILED: JULY 15, 2003

FOR: **A NON-PLOWING METHOD FOR  
ESTABLISHING VEGETATION AND A  
NUTRIENT MATRIX THEREOF**

EXAMINER: VICTOR D. BATSON

ART UNIT: 3671

CONF. NO: 1379

**REQUEST FOR REFUND OF FEES**  
**UNDER 37 C.F.R. § 1.26**

Mail Stop 16  
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Sir:

Applicants respectfully request a refund of \$395.00 of the \$790.00 fee charged to Deposit Account No. 50-2586 on January 16, 2007 for the Request for Continued Examination fee under 37 CFR §1.17(e). The fee was charged as a large entity, but small entity pursuant to 37 CFR §1.9 and §1.27 has been previously established in the subject application.

Applicants respectfully request the requested refund in the amount of \$395.00 to be credited to Deposit Account No. 50-2586.

Respectfully submitted,  
Perkins Coie LLP

Date: February 26, 2007

  
\_\_\_\_\_  
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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/604,380
Filing Date	July 15, 2003
First Named Inventor	Yang Shu
Art Unit	3671
Examiner Name	Victor D. Batson
Attorney Docket Number	41941.8002.US00

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- 1. Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- I.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
II.  Other \_\_\_\_\_

- b.  Enclosed

- |   |   |
|---|---|
| I. <input type="checkbox"/> Amendment/Reply               | iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS) |
| ii. <input type="checkbox"/> Affidavit(s)/ Declaration(s) | iv. <input type="checkbox"/> Other _____  |

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-2586. I have enclosed a duplicate copy of this sheet.

- I.  RCE fee required under 37 CFR 1.17(e) 01/16/2007 SSESHE1 00000037 502586 10604380-

- ii.  Extension of time fee (37 CFR 1.136 and 1.17) 02-FC:1801 790.00 DA-

- III.  Other \_\_\_\_\_

- b.  Check in the amount of \$ \_\_\_\_\_ enclosed

- c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	Date	January 10, 2007
Name (Print/Type)	Registration No.	52,396

**CERTIFICATE OF MAILING OR TRANSMISSION** EV560354596US

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Signature	Date	January 10, 2007
Name (Print/Type)	Registration No.	52,396

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Adjustment date: 03/15/2007 SSESHE1 00000037 502586 10604380 CR  
01/16/2007 SSESHE1 00000037 502586 10604380  
02 FC:1801 790.00 DA